

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
JAN 15 2008

*[Signature]*  
CLERK

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GenetiCAPITAL, LLC,	*	CIV 07-4175
	*	
Plaintiff,	*	
	*	
vs.	*	ORDER
	*	
IDENTITY GENETICS, INC.;	*	
ALEX L. KAHLER and	*	
JUDITH A. KAHLER,	*	
	*	
Defendants.	*	
	*	

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Pending before the Court is a Stipulation, Doc. 26, between the parties in which it is stipulated that with Defendants' withdrawal of their Motion to Dismiss, Defendants may file their Answer on or before January 23, 2008. After consideration of the Stipulation, together with the file herein,

IT IS ORDERED:

1. That the Stipulation, Doc. 26, is approved by the Court and Defendants' Motion to Dismiss Based on Insufficient Service of Process, Doc. 17, is considered withdrawn.
2. That the Defendants shall have until January 23, 2008, within which to file their Answer.

Dated this 15th day of January, 2008.

BY THE COURT:

*[Signature: Lawrence L. Piersol]*  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature: Shelly Margulies]*  
DEPUTY